

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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JAMES PAUL SCHROEDER,

Petitioner,

MEMORANDUM and ORDER

v.

07-cv-643-jcs

U.S. DISTRICT COURTS,

Respondent.

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Petitioner filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 claiming that he was being improperly confined based on a Federal Alcohol, Tobacco and Firearms (ATF) detainer. Petitioner requested that he be formally charged or that the detainer be removed.

Respondent filed a response to the petition on December 7, 2007. Petitioner's traverse was to be filed not later than December 31, 2007 and has not been filed to date.

FACTS

When petitioner filed his petition for a writ of habeas corpus on November 9, 2007 he was incarcerated in the Rock County Jail, Janesville, Wisconsin. At that time an ATF detainer had been placed on him.

Petitioner requested in his petition that formal charges be brought against him. In the alternative he asked that the detainer be removed.

MEMORANDUM

In his petition for a writ of habeas corpus which petitioner filed on November 9, 2007 he sought to be formally charged or released. On November 15, 2007 petitioner was brought before Magistrate Judge Crocker for arraignment on an indictment charging him with various felony weapons violations which had been the subject of the detainer previously placed on him.

Petitioner has received the relief he requested. Accordingly, petitioner's petition for a writ of habeas corpus under 28 U.S.C. §2241 will be dismissed as moot.

Petitioner is advised that in any future proceedings in this matter he must offer argument not cumulative of that already provided to undermine this Court's conclusion that his writ of habeas corpus must be dismissed as moot. See Newlin v. Helman, 123 F.3d 429, 433 (7<sup>th</sup> Cir. 1997).

ORDER

IT IS ORDERED petitioner's petition for a writ of habeas corpus is DISMISSED as moot.

Entered this 7<sup>th</sup> day of January, 2008.

BY THE COURT:

/s/

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JOHN C. SHABAZ  
District Judge